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PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM

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Total Number of Pages in This Submission

4

Application Number

10/627,989 – Conf. No. 4268

Filing Date

July 28, 2003

First Named Inventor

Michael SCALORA

Group Art Unit

2873

Examiner Name

Ms. Evelyn Lester

Attorney Docket Number

28549-202510

ENCLOSURES (check all that apply)

☒ Fee Transmittal Form (No Fee)

☐ Fee Attached

☐ Amendment / Response

☐ After Final

☐ Affidavits/declaration(s)

☐ Extension of Time Request

☐ Express Abandonment Request

☐ Information Disclosure Statement

☐ Certified Copy of Priority Document(s)

☐ Response to Missing Parts/ Incomplete Application

☐ Response to Missing Parts Under 37 CFR 1.52 or 1.53

☐ Assignment Papers
(for an Application)

☐ Drawing(s)

☐ Licensing-related Papers

☐ Petition

☐ Petition to Convert to a Provisional Application

☐ Power of Attorney, Revocation Change of Correspondence Address

☐ Terminal Disclaimer

☐ Request for Refund

☐ CD, Number of CD(s) _____

☐ After Allowance Communication to Group

☐ Appeal Communication to Board of Appeals and Interferences

☐ Appeal Communication to Group
(Appeal Notice, Brief, Reply Brief)

☐ Proprietary Information

☒ First Status Inquiry

☐ Other Enclosure(s)
(please identify below):

Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm
or
Individual name

Robert S. Babayi
Reg. No. 33,471

26694

ATTENT TRADEMARK OFFICE

Signature

Date

March 8, 2007

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450b on this date: _____

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Signature

Date

VENABLE
ATTORNEYS AT LAW

SEND TO: Commissioner for Patents, P. O. Box 1450, Alexandria, 22313-1450.
#834293



PTO/SB/17 (12-04v2)
Approved for use through 7/31/2006. OMB 0651-0032
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE
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Effective on 12/08/2004. Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).		Complete if Known	
FEE TRANSMITTAL For FY 2006		Application Number	10/627,989 – Conf. No. 4268
		Filing Date	July 28, 2003
		First Named Inventor	Michael SCALORA
		Examiner Name	Ms. Evelyn Lester
		Art Unit	2873
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		Attorney Docket No.	28549-202510
TOTAL AMOUNT OF PAYMENT		(\$)	- 0 -

METHOD OF PAYMENT (check all that apply)	
<input type="checkbox"/> Check	<input type="checkbox"/> Credit Card
<input type="checkbox"/> Money Order	<input type="checkbox"/> None
<input type="checkbox"/> Other (please identify): _____	
<input checked="" type="checkbox"/> Deposit Account Deposit Account Number: 22-0261 Deposit Account Name: Venable LLP	
For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)	
<input checked="" type="checkbox"/> Charge fee(s) indicated below	<input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee
<input checked="" type="checkbox"/> Charge any additional fee(s) or underpayment of fee(s) under 37 CFR 1.16 and 1.17	<input checked="" type="checkbox"/> Credit any overpayments

FEE CALCULATION (All the fees below are due upon filing or may be subject to a surcharge.)							
1. BASIC FILING, SEARCH, AND EXAMINATION FEES							
	FILING FEES		SEARCH FEES		EXAMINATION FEES		
		Small Entity		Small Entity		Small Entity	
Application Type	Fee (\$)	Fee (\$)	Fee (\$)	Fee (\$)	Fee (\$)	Fee (\$)	Fees Paid (\$)
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	
2. EXCESS CLAIM FEES							
						Small Entity	
Fee Description						Fee (\$)	Fee (\$)
Each claim over 20 (including Reissues)						50	25
Each independent claim over 3 (including Reissues)						200	100
Multiple dependent claims						360	180
Total Claims		Extra Claims	Fee (\$)	Fee Paid (\$)	Multiple Dependent Claims		
_____ - 20 = _____		x _____	= _____		Fee (\$)		Fee Paid (\$)
HP = highest number of total claims paid for, if greater than 20.							
Indep. Claims		Extra Claims	Fee (\$)	Fee Paid (\$)			
_____ - 3 = _____		x _____	= _____				
HP = highest number of total claims paid for, if greater than 3.							
3. APPLICATION SIZE FEE							
If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).							
Total Sheets		Extra Sheets	Number of each additional 50 or fraction thereof		Fee (\$)	Fee Paid (\$)	
_____ - 100 = _____		/50	_____ (round up to a whole number) x _____		= _____		
4. OTHER FEE(S)							
Fees Paid (\$)							
Non-English Specification, \$130 fee (no small entity discount)							
Other (e.g., late filing surcharge): _____							

SUBMITTED BY			
Signature	Registration No. (Attorney/Agent)	33,471	Telephone (202) 344-4000
Name (Print/Type)	Robert S. Babayi		Date March 8, 2007

#834289



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Michael SCALORA *et al.*

Application No.: 10/627,989

Filed: July 28, 2003

For: APPARATUS AND METHOD FOR
CONTROLLING OPTICS
PROPAGATION BASED ON A
TRANSPARENT METAL STACK

Art Unit: 2873

Examiner: Ms. Evelyn Lester

Confirmation No.: 4268

Atty. Docket No. 28549-202510

Customer No.
26694
PATENT TRADEMARK OFFICE

STATUS INQUIRY

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

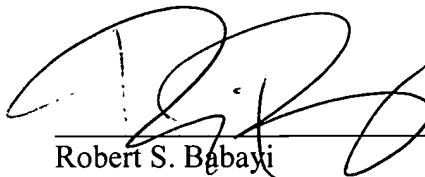
This Status Inquiry is being filed to determine the status of the above-referenced application, which was filed more than three years ago on July 28, 2003.

The application was deemed abandoned (as of December 23, 2003) by the Patent and Trademark Office for failure to reply in a timely manner to the Notice to File Missing Parts of Application, dated October 23, 2003. Applicants filed a Petition for Revival of the application on November 9, 2004, which was granted in a Decision on Petition, dated February 7, 2005, from the U.S. Patent and Trademark Office. The Decision was the last paper received in the case, more than two years ago.

U.S. Patent Application No. 10/627,989
Applicants: Michael SCALORA *et al.*

A written response to this Status Inquiry is respectfully requested.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'R. Babayi', is written over a horizontal line.

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Date: March 8, 2007

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#834285